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ABSTRACT

The Senate Committee on Labor and Human Resources reports favorably on the bill (S. 286) to extend and strengthen authorities of the Office of Educational Research and Improvement (OERI) and to promote a number of education-improvement programs through fiscal year 1999. OERI is the research and development arm of the U.S. Department of Education. In spite of the importance of its duties, funding in terms of constant dollars has decreased approximately 80% since 1973. The proposed act seeks to reverse this trend by redefining the authorities, functions, and responsibilities of the office, and establishing five new research directorates. The bill also creates a nonpartisan Advisory Board of Educational Research to review research and evaluate its quality. An Office of Dissemination and Reform Assistance is established to provide national coordination, and regional education laboratories are established to advance the National Education Goals. In addition, S. 286 includes a minority focused civic education program for improved instruction in civics for minorities and Native Americans. This initiative also supports teacher education in civics. The Committee believes that this act will support educational research of the highest quality and will strengthen the flow of information and technical assistance to every student. (SLD)

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EDUCATIONAL RESEARCH AND IMPROVEMENT ACT OF 1993

NOVEMBER 16 (legislative day, NOVEMBER 2), 1993.—Ordered to be printed

Mr. KENNEDY, from the Committee on Labor and Human Resources, submitted the following

REPORT

[To accompany S. 286]

The Committee on Labor and Human Resources, to which was referred the bill (S. 286) to extend and strengthen authorities for the Office of Education Research and Improvement (OERI) and promote miscellaneous education improvement programs through fiscal year 1999, having considered the same, reports favorably thereon with an amendment in the nature of a substitute and recommends that the bill, as amended, do pass.

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I. INTRODUCTION

The Office of Educational Research and Improvement (OERI) is the research and development arm of the Department of Education. The mission of OERI is to support education research and development and inform national and local policies which lead to school reform, better public understanding of education, and increased public support for excellence and equity. OERI collects and analyzes education statistics disseminates information, provides technical

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assistance, and supports library education and service. OERI assists educators in improving their practice, supports the development of new educational programs and methods, and helps policymakers provide leadership to American education. These duties are fundamental to the strength of our education system. Strategies for school reform should be based on solid education research and development and OERI provides this for the nation.

Despite the importance of its duties, particularly in the context of national education reform, funding for OERI has decreased by approximately 80% in constant dollar since 1973. Inadequate management, undue political influence, lack of a coherent, long-term mission, and insufficient dissemination of research results to local educators have contributed to the decrease in federal financial support.

The Educational Research and Improvement Act of 1993, S. 286, seeks to reverse the tide of diminished support and strengthen the Office by providing definition and focus to the activities of OERI. It moves to assure improvement in the quality of ongoing basic educational research. Above all though, this reauthorization bill seeks to bring the latest high quality research findings directly to bear upon classroom practice.

S. 286 specifically delineates the authorities, functions and responsibilities of the Office. Five new research directorates are created around critical areas in education to target the scope and activities of the Office. The bill specifies what research activities are authorized by the Office. In addition, the bill creates a non-partisan Advisory Board of Educational Research to review the research agenda and evaluate and provide recommendations to the President and Congress regarding the quality of research conducted through each directorate and regional laboratory. Members are to be appointed solely on the basis of eminence in the field of research or established records of service in the education professions.

To speed the flow of useful information to school systems, schools, and educators, the bill creates an Office of Dissemination and Reform Assistance to provide national coordination to efforts to identify proven educational approaches and to facilitate the adaptation of that knowledge to meet individual needs. S. 286 also creates a Teacher Research Dissemination Demonstration Program that will arm teachers with research and technical assistance to improve their teaching and the achievement of their students.

Moreover, the bill authorizes the Assistant Secretary for the Office of Educational Research and Improvement to support at least ten, and as many as twenty, regional educational laboratories to advance the National Education Goals and serve the educational needs of each region. The laboratories are to have as their primary functions the assessment of the quality and usefulness of education research for practitioners and the development and dissemination of successful educational research products and processes to local schools. In providing technical and other assistance, the laboratories will also provide a special focus on the needs of economically disadvantaged urban and rural areas.

Lastly, S. 286 included a minority focused civics education program that will provide support for improved instruction in civics and government for minorities and Native Americans. There is an

accompanying initiative which creates an international educational exchange program that will steer teacher training in civics and government as well as economics. The program specifically has been designed to assist Eastern European nations in their struggle to establish and sustain democratic forms of government. Both initiatives recognize the critical roles education and democracy play in supporting each other.

S. 286 is based on reports, recommendations and hearing testimony from educators, researchers, education interest groups, private businesses, and the Bush and Clinton Administrations. The legislation has been fashioned in a bipartisan spirit of consensus over a two year period. The Committee believes the Educational Research and Improvement Act of 1993 will support educational research that is of the highest quality, and will strengthen the flow of information and technical assistance that will bring research to bear on every school and every student across the nation.

II. Legislative Consideration and Votes in Committee

The Educational Research and Improvement Act of 1993 as introduced was identical to legislation considered during the 102nd Congress, S. 1275. The Subcommittee on Education, Arts and Humanities held hearings on S. 1275 on March 7, 1991 and June 13, 1991. The legislation was unanimously reported by the Committee on March 20, 1992 (Report 102–369).

Senators Pell and Kassebaum introduced S. 286, the Educational Research and Improvement Act of 1993, on February 3, 1993 to carry forward their work from the 102nd Congress. The bill was referred to the Subcommittee on Education, Arts and Humanities. On October 21, 1993 the Subcommittee met to consider S. 286 and reported it unanimously with an amendment in the nature of a substitute. On November 3, 1993 the Committee met to consider S. 286 and reported it unanimously with an amendment in the nature of a substitute.

III. Need for Legislation and Overview

As the 21st century approaches, the need for national educational improvement is overwhelming. According to the most recent National Assessment of Educational Progress (NAEP) report on reading achievement, over 70 percent of eighth grade students do not read proficiently. They are not able to demonstrate an overall understanding of the text they read, as measured by brief written responses. Less than 5 percent of twelfth grade students are able to demonstrate an ability to analyze texts from the perspectives of both meaning and form. In addition, they are unable to integrate textual directions to complete a task efficiently and accurately. Moreover, NAEP reports a lack of sufficient progress at reducing the achievement gap between minority and non-minority children at precisely the time when the minority composition of the nation is fast expanding. These and other findings do not bode well for a nation in which income depends increasingly on educational attainment and achievement.

OERI has the potential with a relatively small investment to significantly contribute to accelerating the pace of school reform and

improvement. The Committee points to the development and implementation of the Success for All program to emphasize how this potential can be brought to practice. OERI supported the Center for Research on Effective Schooling for Disadvantaged Students, which provided the theoretical basis for the Success for All program. High poverty schools, with assistance from OERI-supported regional laboratories, have chosen to use federal funds available under the Chapter 1 program to successfully implement the program. This process of research, development, and ongoing support exemplifies the potential OERI has to contribute to education reform and improvement.

As is the case with business and industry, the quality of our education system depends in part on the investment we make in research and development. One of the key ingredients in developing a world-class educational system is the investment we make in research and development and in bringing the best that is known in the areas of teaching and learning to bear in the classroom.

The stake that we hold in federal educational research and development is perhaps best described by a report of the National Academy of Education:

> If we want well-designed institutions, good leadership, high standards, and public support for education, then we will also need imaginative research, just as we do in other vital endeavors that shape modern life, such as industrial technology and medical practice. To achieve our goals, we must continue to improve our knowledge of how learning takes place, while also promoting the strategies most productive for sustaining it. We must probe as deeply as possible into the dispositions of the different kinds of people we educate, providing them the direction, curriculum, and learning strategies they will need to meet the future with confidence.
>
> While education researchers have not developed the equivalent of antibiotics or hybrid corn, their investigations have helped shape the structure and content of schooling and helped deepen our understanding of the education process. Education research has led to a fundamental reorientation in our knowledge of human development, learning theory and its applications, testing and assessments, the nature of disabilities, and curriculum design.

Unfortunately, the potential of OERI has not been realized because of funding, structural, and personnel inadequacies. The Committee has been keenly aware of the decline in federal financial support for education research. According to a 1988 General Accounting Office study, the federal investment in education research and development has declined by 33 percent in constant dollars between 1980 and 1987, while federal support for research overall has increased by 24 percent. Of over $300 billion the nation spends annually on education, approximately three ten thousandths of one percent (.0003) is designated for education research. The Committee is troubled that education research is often seen as an easy target for budget reduction, largely because its effects upon schooling rarely can be be demonstrated in the short term. In fact, the effects

of such reductions will be more acutely felt in future years when there is a lack of a sound knowledge base on which to base future teaching and learning decisions. A continued trend of decreased support puts at risk long-term education improvement and threatens a drift of policy.

The Committee recognizes that a lack of confidence in the Office has contributed to decreased funding. Concerns have included the general nature of legislative authority for the Office, inadequate staffing, abrupt changes in research policy, isolated short-term research grants unconnected to a long-range central mission, partisan political influence, and a lack of support for innovative, creative ideas of researchers in the field.

The Committee began its reauthorization work specifically with the goal of delineating the responsibilities and functions of the Office so that the nation would have a direct understanding of the federal research enterprise. In meeting that goal, the Committee took note of the considerable analyses of the federally-supported research and development effort offered by researchers, research organizations, educators, education interest groups, private businesses, and the Bush and Clinton Administrations. Many of the provisions included in S. 286 were extracted from the themes articulated in these analyses. Of particular note in the formation of the bill, the Committee has leaned heavily upon recommendations of the National Research Council of the National Academy of Sciences and the successful organizational model offered by the National Science Foundation.

With respect to the need for a defined mission, S. 286 establishes five new National Directorates to depoliticize and target the research effort on the most critical areas in education: (1) curriculum, instruction and assessment; (2) historically underserved populations; (3) early-childhood development and education; (4) elementary and secondary school finance, governance, policymaking and management; and (5) adult education, literacy, and lifelong learning. The directorates are intended to better coordinate disparate research activities and focus efforts on solving major education problems as well as to serve as the national repository of information in their respective areas.

The Committee believes that the new Directorates will stabilize and focus the Office around the central missions of educational improvement. The nation needs to see that investment in the Office of Educational Research and Improvement is directly related to a compelling set of targets for educational improvement. To address the problem of fragmented research, S. 286 reserves up to ten percent of all funds available to the directorates for research synthesis and coordination activities across directorates.

S. 286 earmarks at least one-third of each Directorate's funding to support long-term national research centers. Recognizing that many projects are too short-term to be effective, the legislation requires that centers be established for a period of at least five years, and allows the Assistant Secretary to renew them for additional five year periods. S. 286 also earmarks at least one-third of each Directorate's funding to support field-initiated research. Field initiated studies, which result from unsolicited proposals, support the innovative and creative ideas of researchers in the field. The Na-

tional Academy of Sciences calls field-initiated research "crucial to advances in science." The Committee increases its support of this type of research by 800 percent.

Finally, S. 286 provides for a series of mechanisms to ensure that research makes its way into the classroom. The Committee recognizes that one factor limiting the growth of fiscal support for federally sponsored education research is the tenuous linkage between the results of research and actual classroom practice. Establishment of a solid, interactive pipeline of information and assistance to carry research into the classroom is to be a primary responsibility of OERI. Dissemination alone is not enough. It is to be accompanied by ongoing technical assistance and development to ensure that research results are adapted to meet individual school needs.

S. 286 creates an Office of Dissemination and Reform Assistance to coordinate and oversee dissemination of all Department of Education projects, programs, research and publications. The legislation improves and expands the National Library of Education so that its collection can surpass all others in education research. The legislation gives new, expanded authority to the National Diffusion Network to identify model programs for the purpose of making them available for replication in school districts across the nation.

In light of a pending Clinton Administration proposal to create ten new "super technical assistance centers," the Committee has provided the Assistant Secretary with flexibility to reconfigure regions to better serve the needs of educators and schools. S. 286 provides authority for the Assistant Secretary to support up to twenty regional educational laboratories. The laboratories are to develop research products and processes, provide technical assistance and training, and conduct and use applied educational research to improve individual school and school district practices.

The Committee also now intends that the regional educational laboratories not only serve the educational needs in a particular geographic region but also help schools to advance toward the National Education Goals.

The Committee notes that a long-range, clearly articulated, agenda for the Office of Educational Research and Improvement is critical to the integrity and efficacy of the Office. An agenda of this nature has never been specifically documented, and consequently, there has been little understanding of what the Office has tried to achieve. Art Wise, Chairman of the American Educational Research Association's Governmental and Professional Liaison Committee states:

> The clarity of the federal government's responsibility for education research has not been accompanied by understanding, commitment, or resources. Congressional misunderstanding and mistrust has resulted in a cycle of declining resources, which prohibits robust success, and which in turn leads to continued declining resources.

S. 286 mandates development of a long-range agenda which includes expressly defined goals and projections for achieving those goals. The agenda is to be widely examined by researchers and practitioners, and developed through an interactive process of outreach by the Assistant Secretary. The agenda is to have a com-

prehensive, long-term vision which coordinates all units of the Office. It is to delineate the critical research topics to be supported by the Office and articulate the Office's responsibility to translate research into improved classroom practice.

In developing its research agenda and in carrying out its other functions, OERI must have access to and guidance from preeminent education researchers and practitioners. That responsibility is currently charged to the Nation Council on Educational Research. Unfortunately, the composition of the Council over the years has plagued the overall integrity of the Office. The Committee was concerned to learn that between 1989 and 1991, not one member of the Council was listed in the directories of the American Educational Research Association, American Psychological Association, American Political Science Association, and American Sociological Association.

S. 286 requires that members appointed to the Advisory Board for Educational Research be selected solely on the basis of eminence in the field of educational research or established records of distinguished service in the education professions. The Secretary in making nominations is to give due consideration to nominations of a variety of groups with prominence in education research and development, including the National Academy of Education and National Academy of Sciences. Members of the board are prevented from serving on any other Department of Education advisory board, or as paid consultants of the Department.

IV. Provisions of the Bill

Title I of S. 286 repeals current authority for the Office of Educational Research and Improvement under Section 405 of the General Education Provisions Act and establishes the Office as part of a free standing act. Section 103 provides for the continuation of all orders, determinations, rules, regulations, permits, agreements, grants, contracts, and other administrative actions which are in effect upon date of enactment. The Committee does not intend that its desire to pass a free standing act alter the obligations of the Office as of the date of enactment.

Subsection (a) of Section 102 of the bill begins by defining the purposes and composition of OERI, building upon language in the current statute with respect to improving the quality and equity of education. It directs the Office to carry out its activities with an eye toward school reform and achievement of the National Education Goals. This provision signifies the Committee's intent that the emphasis of this reauthorization is on bringing the results of research to the classroom. The Office shall be administered by the Assistant Secretary for Educational Research and Improvement, and shall contain the Advisory Board of Educational Research, the Directorates for Educational Research, the regional educational laboratories, the Office of Dissemination and Reform Assistance, the National Education Library, the Educational Resources Information Clearinghouse (ERIC), and the National Center for Education Statistics (NCES). The Committee does not prohibit the Secretary from administering several other elementary and secondary education programs through OERI, such as FIRST, the Jacob Jav-

its Gifted and Talented Education, and Blue Ribbon Schools programs.

Subparagraph (a)(2)(B) of the legislation creates a new Advisory Board of Educational Research. The Advisory Board has been modeled after the highly regarded National Science Board of the National Science Foundation. The National Science Board consists of eminent scientists who provide sound advice and counsel to the Director of the National Science Foundation in defining national science research policy and carrying out the activities of the Foundation. The Secretary is expected in making appointments to give due consideration to women, minorities, and most importantly, teachers. The Committee is particularly concerned that the interests and concerns of teachers be reflected in the research agenda of OERI. In carrying out its responsibilities the Committee requires the Board to solicit advice and information from the educational field. Educational practice should always be a strong motivating factor in setting research priorities.

In the early 1980's, the Council had direct authority to set the education research and development agenda. At the same time the Director of what was then the National Institute of Education (NIE) had authority to operate the agency. A dispute over the research agenda quickly forced the Council and the Director into a stalemate over research priorities which virtually paralyzed the Office. The Committee notes that a key factor contributing to the impasse was the nature of Council appointments. Selection to the Council was determined largely by political views instead of educational expertise. Because the political views of a majority of the Council were incompatible with the views of the NIE Director and Secretary, Congress diluted the authority of the Council a strictly advisory nature.

Pursuant to S. 286, the Board is to advise the President, Congress, and the nation on the federal research and development effort, advise the Assistant Secretary on standards and guidelines for research activities supported by the Office, provide recommendations for defining a short and long-term agenda. Advice on the long-term agenda is an especially important responsibility of the Board. The long-term agenda is intended to be used as the guidepost by which progress in education research may be measured and ongoing activities directed. The Committee expects the Board in carrying out this and all of its responsibilities to work in close partnership with the Assistant Secretary. Congress is to receive a biennial report on the overall activities and effectiveness of OERI.

Subparagraph (a)(3) of the legislation provides a series of definitions. Most notable are definitions for development, dissemination, education research and technical assistance. All definitions incorporate the concept of making research applicable to the needs of local educators in usable forms. The definitions are consistent with the central theme of S. 286 which is using research to promote educational excellence in the classroom.

Subsection (b) provides that the Assistant Secretary shall not only administer the agency with respect to the conduct and support of education research and development, but also establish short and long-term research agendas in consultation with the Advisory Board, develop standards and guidelines for research, and ensure

broad involvement in planning and carrying out the activities of the Office. The required outreach on the part of the Assistant Secretary is part of a series of checks and balances to ensure that the agenda and activities of the Office serve the nation's schools and national interest. There are additional provisions under this subsection that require all grants, contracts or cooperative agreements awarded pursuant to the Act be done through a process of open competition and peer review.

Most importantly, subsection (b) provides that the Assistant Secretary is to ensure that any agency agenda or directive is free from partisan political influence. Such influence in the past has seriously damaged the integrity of the Office, and consequently, impeded the Office's ability to rise to the challenge of dramatically improving educational achievement and equity. The Committee expects that efforts to keep education research objectives shall be a central responsibility of the Assistant Secretary, the Advisory Board, and all others who have an influence on the activities of the Office.

The Committee also notes that the Assistant Secretary is expected to serve as an advocate for federal education research. Such advocacy should be used to promote support for ongoing basic research of sufficient size, scope, and quality and the application of research to meet individual classroom needs. Thus, leadership and outreach are essential functions of the Assistant Secretary to ensure that research meets its potential for dramatically improving educational achievement and equity.

The Committee has been very concerned that research and development supported by OERI is often isolated and fragmented, and as a result, not used to its fullest potential. S. 286 requires that the long-term agenda be designed to serve as a six year projection of the goals and direction of OERI. The agenda should create a cohesive and integrated strategy for promoting educational excellence. The Committee expects the Assistant Secretary in developing the long-term agenda to consult with Congress, the Advisory Board, education research experts, practitioners, and members of the general public. The Committee provides for an agenda covering a six year period to ensure that the agenda is an ambitious one, allowing for enough time to plan a strategy to achieve meaningful results but not so long that the period unnecessarily lock the Office into a course that is no longer relevant to national needs.

The Assistant Secretary must report to the President and Congress every two years on progress made toward meeting the objectives of the agenda and any modifications to the agenda that might be necessary. The Secretary is required to provide for ongoing independent evaluations to assess all operations of the Office, the relevance of research projects have to school use, and the ability of the Office to keep research funding free from partisan political influence.

Subsection (c) provides for the establishment of five directorates in the most critical areas in education based on recommendations from the National Academy of Sciences, the Clinton Administration, the American Educational Research Association, and many others: (1) curriculum, instruction and assessment; (2) historically underserved populations; (3) early-childhood development and edu-

cation; (4) elementary and secondary school finance, governance, policymaking and management; and (5) adult education, literacy, and lifelong learning. Each directorate is to have a leading professional in the field serve as a director, appointed by the Assistant Secretary. The directors will define goals and priorities for each respective Directorate as well as be responsible for administration.

Establishment of the National Directorates represents the heart of S. 286. They are intended to target and depoliticize the federal research effort. The Committee emphasizes that a directorate need not have walls. In fact under S. 286, 95 percent of all funds available to the directorates to conduct basic and applied research, support and operate research dissemination activities, assist state and local officials with education policy making, and establish a national database on model programs must be distributed through grant, contract or cooperative agreement. The Committee does not intend that the Secretary create a new bureaucracy at OERI. S. 286 transforms the structure of OERI from being based on how money is spent to what is being studied. The Directorates are to focus research on critical and enduring issues in education. The Committee hopes this new structure will provide the nation with a greater understanding of the work of OERI, enable individuals to more readily access research that may be of use, and provide for a more integrated and comprehensive approach to the researching of education issues and problems.

The Committee intends for all of the directorates to work together and with the regional educational laboratories, the National Diffusion Network, and the new Teacher Research Dissemination Program to bring quality research findings to bear in individual schools and school districts. S. 286 specifically requires the Assistant Secretary to carry out research synthesis and coordination activities and makes available up to ten percent of all funds appropriated for the directorates for this purpose. The Committee notes that the Assistant Secretary is expected to pay special attention to coordination between the Directorates on Curriculum, Instruction, and Assessment and Historically Underserved Populations. The academic achievement of historically underserved student populations lags considerably behind that of more advantaged students. OERI and the new directorates should be part of a coherent national education policy rooted in high academic standards for all students.

S. 286 requires each directorate to reserve at least 33 percent of its funds for field-initiated research. The set aside is intended as a floor, not a ceiling. Current OERI support for field-initiated research is inadequate. Between 2 percent and 5 percent of the agency's budget supports field-initiated studies, while 56 percent of the National Institutes of Health's budget and 94 percent of the National Science Foundation's budget support field-initiated studies. Although some field-initiated research may not prove useful to immediate classroom needs, the Committee believes that this type of research draws upon the innovative, creative ideas of researchers in the field which may have the greatest impact on improving educational theory and practice.

It is the intention of the Committee that OERI will support no more than a few long term national research centers of sufficient

size, scope, and quality within each directorate. In 1992 there were as many as 25 national research centers, each focused on a narrow topic and many of the centers overlapping in subject or issue areas. For example, there is a center on student learning, another on the learning and teaching of elementary subjects, and yet another on science teaching and learning. The Committee hopes that the directorates will support fewer, longer-term research centers that encompass broader, more comprehensive missions that will support research on the "big picture" rather than on small, disconnected elements of a larger subject or issue. Research on specific questions pertaining to small segments of larger issues can be supported with grants or contracts awarded by the directorates or subcontracted by the centers.

The legislation grandfathers existing contracts for the various research centers currently in operation under subsection (r). However, the Office may move these centers into relevant directorates before expiration of their contracts, but with understanding that current contracts will remain unaltered until expiration. Some current research center contracts may expire prior to the end of fiscal year 1994 and before the directorates are established. S. 286 specifically states that research centers which expire before the completion of a new competition for long term research centers in the relevant directorates may be extended until awards for those research centers are made.

The National Directorate on Curriculum, Instruction, and Assessment is authorized to conduct research on methods to improve student learning, basic and higher order skill development across disciplines, teaching methods to reach all students, new forms of assessment, such as performance and portfolio, teacher training, testing and test bias, and the use of technology in teaching and testing. Studies to improve academic achievement should consider students of all levels of ability. The Committee notes that research indicates that students that are tracked according to their lower achievement level rarely catch up with their higher achieving peers. In addition, research from as far back as the 1950's suggests that students that are retained in grade rather than promoted without mastering the material for their grade level have a higher chance of dropping out of school. However, few effective alternative practices have been developed or studied. It is the intention of the Committee that the National Directorate on Curriculum, Instruction, and Assessment will conduct research on methods to teach students in mixed-ability classrooms and alternatives to tracking and grade retention.

The National Directorate on the Educational Achievement of Historically Underserved Populations speaks to one of the central federal concerns in education, protecting and serving disadvantaged populations. The directorate is to study the quality of educational opportunities afforded minority students, students with disabilities, economically disadvantaged students, girls, women, limited English proficient students, and American Indian and Alaska Native students. Research is to focus on effective institutional practices for expanding such opportunities, overcoming barriers to learning, innovative teacher training and professional development methods to help the historically underserved meet challenging standards. In

identifying certain education topics related to Native Americans and Alaska natives as among those authorized for research by the Directorate on the Educational Achievement of Historically Underserved Populations, the Committee is mindful of the lack of attention to such topics and issues by the Office in the past. It also acknowledges the unique legal and political status of American Indian tribal governments which, when coupled with the unique educational needs of Indian reservation students resulting from their geographic isolation and widespread poverty, make research on these topics critically important.

The National Directorate on Early Childhood Development and Education is authorized to conduct research on the family and community as they relate to education, the educational effects of prenatal care, nutrition, substance abuse, television viewing and health services. Studies indicate that parental involvement, such as a parent reading to a child, is among the most critical factors in a student's academic success. The Committee registers its desire that research on parental involvement consider the effects of intergenerational learning, such as that conducted through the Even Start program. While the legislation specifically mentions research on family and community partnerships by the Directorate on Early Childhood Development and Education, language has also been added to ensure the study of such partnerships at all levels.

The National Directorate on Elementary and Secondary Educational Governance, Finance, Policymaking, and Management is authorized to conduct research on effective methods for school organization. The directorate's activities should particularly look at the essential ingredients of successful school restructuring, and how those elements may be fashioned to prove effective in other schools. The legislation specifically mentions research on a longer school day or year, reducing class size, ongoing professional development, school-based management, and other approaches. The Committee also hopes that the directorate will examine other innovative methods of school design with a view toward their ability to be applied in other schools. The directorate is also to conduct research on school finance, including the amount of dollars actually spent on classroom instruction. The Committee is disturbed by the disparities in school financing among and within states. Research in the use of technology to advance the objectives of all of the directorates is authorized, but the Committee emphasizes technology's special potential to ameliorate the effects of resource disparities.

Lastly, the Directorate on Adult Education, Literacy, and Lifelong Learning is authorized to conduct research on training methods for adults to upgrade educational and vocational skills, opportunities for continuing education and lifelong learning, methods for the elimination of adult illiteracy, and retraining techniques to meet the changing needs of the workforce. With the advance of technology, the workplace is rapidly changing and the nation needs to be prepared to consistently upgrade its workforce's skills. Pedagogical techniques which are effective with school age children are not always effective with an adult learning population. The Committee seeks to ensure that the needs in this area do not go unattended.

S. 286 authorizes $100 million for fiscal year 1995 to support the National Directorates. The authorization level underscores the Committee's belief that federally supported education research should be adequately funded. In recognition of the possibility that appropriations will not meet this goal, S. 286 creates a trigger to govern support of individual directorates while still maintaining substantial flexibility for the Assistant Secretary in determining support for each directorate.

Should appropriations be $70 million or less for the directorates, the Assistant Secretary is to provide at least 25 percent of such amount to support the Directorate on Curriculum, Instruction and Assessment; at least 10 percent of such amount to support the Directorates on Historically Underserved Populations and Early Childhood Development and Education respectively; and at least 5 percent of such amount of support the Directorates on Governance and Finance and Adult Education, Literacy, and Lifelong Learning respectively. Thus, when appropriations are less than $70 million, the Assistant Secretary is afforded flexibility in allocating 45 percent of appropriations.

Should appropriations exceed $70 million for the directorates, the Assistant Secretary is to provide at least 30 percent of such amount to support the Directorate on Curriculum, Instruction and Assessment and at least 10 percent of such amount to support each of the other directorates. In this circumstance the Assistant Secretary is afforded flexibility in allocating 30 percent of appropriations.

The Committee created this funding mechanism with two concerns in mind. First, directorates must be assured an adequate base level of funding so that they are not doomed to fail from the beginning because of insufficient support. Second, the entire research community must work together for increased federal research and development support. Funding for individual directorates should not be subject to the influence of political constituencies, but rather national needs.

Subsection (k) provides for the support of at least ten and as many as twenty regional educational laboratories for research, dissemination, and technical assistance. S. 286 redesigns the laboratories charter, requiring them to focus much more sharply on promoting educational improvement by applying and disseminating research results to specific school needs within a respective region and identifying which programs and ideas have the highest likelihood of advancing the National Education Goals. Laboratories are to develop and disseminate education research products and processes to state educational agencies, local educational agencies, teachers, librarians, schools, and provide technical assistance to schools and other education agencies to help all students meet challenging standards. It is critical that the laboratories conduct extensive and continued outreach and work to make sure regional educators, school officials, and policymakers are aware of the laboratory services.

The Committee intends that the regional educational laboratory contracts provided by the Assistant Secretary for a minimum of five years shall contain a definition of the areas included within each of the laboratory region. The Committee further intends that

the start-up of new laboratories shall be done through Requests for Proposals at the same time as ongoing contracts for laboratories are recompeted.

The Committee notes that the original conception of the laboratories was that they truly be laboratories, i.e., testers and refiners of research and authorities on which programs and ideas have the the highest likelihood of changing teaching practices and supporting student achievement.

The Committee believes that the laboratories have the potential to be one of the best instruments for bringing research to bear in individual classrooms, particularly in those schools identified in need of improvement under the Chapter 1 program. The Committee expects the laboratories to work with state or local school support teams which exist or may be created to ensure that reforms are lasting. The laboratories are charged with facilities school restructuring and communication between educational experts and local educators, assisting in solving site-specific problems, and conducting applied research if such research does not already exist. Innovative strategies or new practices in order to be effective over the long-term must be accompanied by teacher and administrator training and other technical assistance. All of the laboratories' functions should have the goal of improving academic achievement as a priority.

The laboratories are to be managed by regional governing boards which will include representatives of the region, education researchers, and teachers. The governing board will determine in consultation with the Assistant Secretary the mission of each respective laboratory. The governing boards are also responsible for maintaining a high level of quality in laboratories' work and products.

In light of a pending Clinton Administration proposal to create ten new "super technical assistance centers" as part of the Elementary and Secondary Education Act of 1965 reauthorization, the Committee has provided the Assistant Secretary flexibility to reconfigure existing regions. To create a new region, appropriations must reach a minimum of $38 million (the fiscal year 1994 level), and new laboratories must be funded with at least $2 million. The Committee provides this minimum figure for new laboratories specifically to ensure that such laboratories are of sufficient size, scope, and quality to achieve their respective mission. The authorization of appropriations for the laboratories is $41 million in fiscal year 1995 and such sums as may be necessary thereafter.

The Committee notes that laboratory regions vary in size with the largest serving a population five times that of the smallest. At the same time, however, the largest appropriation for an individual laboratory is only about twice that of the smallest. Laboratories provide direct assistance to as few as one percent of school districts within their region. In authorizing support for as many as twenty laboratories, the Committee seeks to provide the Assistant Secretary with the flexibility that may be necessary to further develop a regional laboratory system that best meets school improvement needs. In that regard, the Assistant Secretary in evaluating the advisability of supporting a new regional laboratory shall consult with the chief state school officer of each state affected by the cre-

ation of such laboratory and other educators in the region or regions from which a new region is being considered. Regardless of what is done with respect to regions, the laboratories are required to work collaboratively, and coordinate their services with technical assistance centers authorized under the Elementary and Secondary Education Act of 1965.

In reviewing the status of education research, the Committee found that the education research being funded by OERI is not having the impact on the nation's schools that it should for a variety of reasons. Relevant education research and resulting solutions are not being adequately disseminated to teachers. Research products are frequently disseminated in inappropriate formats, such as lengthy technical reports, not conducive to widespread teacher use. Research frequently stops with the identification of a problem with no follow-up research on potential solutions. Teachers are not trained to use research to inform their decisions. Teachers are not encouraged to move beyond the walls of their classrooms to identify and use outside resources or work together with other teachers. The Committee also found that there are not enough linkages among the various OERI components and programs or between the components and the nation's schools to ensure that research is conducted in a coordinated manner and that it is responsive to the needs of schools and teachers.

Thus, the Committee identified several teacher needs: to improve dissemination of OERI-funded research to teachers; to improve the responsiveness of OERI-funded research, products, and services to the needs of teachers; and to stimulate teachers' use of and participation in research. In response, under subsection (1) the bill establishes a multipurpose program intended to develop a network of teacher research and dissemination experts. Teachers could be trained and then return to their districts to share their knowledge and expertise, act as a continuing resource for the other teachers within the district, and provide feedback on teacher needs to the OERI components.

Summer training and technical assistance throughout the school year could be provided by OERI to teachers. Teachers could be trained to inform other teachers in the district about the OERI programs and component pieces (the regional laboratories, the research centers, the directorates, Education Resource Information Centers-ERIC, the National Diffusion Network-NDN, and other OERI programs and efforts). Teachers could also inform other teachers about the research products and services available through OERI and other educational research organizations and train other teachers in the use of education research and development theory to improve their instruction and to recognize effective practices based on sound research. Select teachers could be charged with helping interested schools and teachers in their districts to identify problem areas and goals and to act as liaisons between the schools and the appropriate resource bodies, federal or otherwise. It is the Committee's intention that certain teachers will also provide information about exemplary practices and programs to the labs, NDN, ERIC, etc. and act as the pulses of their districts in communicating their research and dissemination needs to the laboratories and other OERI components.

Additional activities could include teacher training assistance in conducting applied research, teacher research sabbaticals, training in assessment and testing, training in developing and implementing effective teacher in-service, training in change management (restructuring, site-based decisionmaking, leadership skills, etc.), and assistance in developing strategies for increasing time for teacher planning and collaboration.

This program should promote a working network among all OERI entities, which currently operate independently of each other. For example, working to develop a training program which adequately represents each entity's functions and services would inform all of the entities involved about each other's work. Activities such as developing training, resource materials, and conferences together will help these entities to identify new ways to work together, disseminate their products and services through each other, and better adapt research directions and dissemination practices to suit the needs of the users.

A teacher stipend for salary and expenses and any teacher training could be paid for by the federal government. A program could be designed on the assumption that the teachers would be released from their regular teaching duties to participate in this program for one school year. The teacher salary throughout the year for the teacher to participate in the program could be paid by the school district (or group of districts in situations where small districts apply collaboratively) or the federal government.

Subsection (m) requires the Assistant Secretary to establish an Office of Dissemination and Reform Assistance (ODRA). The Committee is concerned that the results of research are not always reaching practitioners in the field; or that if they do, they are not in a usable form appropriate for teachers. There is also a concern that OERI supported entities such as the regional educational laboratories, national research centers, and ERIC clearinghouses could do a better job of disseminating research and information on promising practices.

Therefore, the Committee establishes in S. 286 a program office within OERI to coordinate dissemination of Department of Education research and development products and publications. ODRA is to serve as a central point in the Department for the public to contact regarding research, development, and statistical products developed by or funded by the Department. ODRA should be staffed with qualified individuals knowledgeable about Department of Education resources, products, and services.

Specifically, ODRA will operate a depository for all publications and products developed or funded by the Department. While it is not intended that ODRA replace the Government Printing Office as a warehouse of Department of Education publications, members of the public should be able to call this office with questions on all publications, reports, products, and statistics produced by the Department and reach a person knowledgeable about the material. By requiring that this office be a depository, there will be a strong likelihood that staff will have seen the materials in question and be able to respond to inquires about them. This will require cooperation from other OERI supported entities and may also require that all grants, contracts, and cooperative agreements awarded by

OERI contain language requiring that copies of all resulting reports, publications or products be delivered to ODRA. The Committee finds it unacceptable that OERI provides funding for researchers but does not insist on receiving a copy of resulting reports or products in return. These materials should be made available free of charge to the public for reproduction.

ODRA will disseminate relevant research, information, products, and publications to schools. It will coordinate the dissemination activities of OERI supported entities and develop the capacity for local educators to access such entities, including through the use of technology. ODRA will also report to the Secretary annually on what types of information, format, products, and services teachers, schools, and school districts want and find most useful. Based on this assessment, ODRA will develop a plan to adapt Department products to address the needs of the users of education research. The authorization of appropriations is $5 million.

Subsection (n) provides additional authority for the National Diffusion Network (NDN) to provide information about model demonstration programs. NDN identifies existing programs of excellence from early childhood through secondary school levels. Selection procedures for identification involve a rigorous certification through a careful and extensive review process. Upon certification, these exemplary programs become part of list widely available to schools throughout the country, primarily through the National Diffusion Network State Facilitator in each state. Facilitators assist schools in their search for applicable programs and provide technical assistance to aid in implementation of these successful programs.

The Committee believes that NDN is an excellent vehicle for dissemination of successful practices and should include information on programs in addition to those validated through the lengthy NDN review process. For example, the Department of Education funds a number of model demonstration grant programs. These programs have already been given the seal of approval of the Department of Education. Information on these programs should be made readily available through NDN, and not be delayed by the NDN review process.

The National Diffusion Network, while highly effective, is limited by its funding constraints from providing the technical assistance necessary to help schools implement these successful programs. S. 286 therefore provides an additional $10 million authorization of appropriations for NDN to carry out this new activity and improve state facilitator capabilities.

Subsection (o) provides for support of a National Education Library to serve as a national resource center for teachers, scholars, state and local officials, and members of the general public. The Secretary of Education in 1979 established the Education Research Library pursuant to authority under the Department of Education Organization Act. The Library currently maintains a collection of books, Periodicals, and microfilms. It conducts routine library activities such as acquisitions, cataloging, circulation, interlibrary loans, and reference services. The Library provides limited public access to its materials and services.

Unfortunately, the Education Research Library at the Department of Education has never achieved sufficient visibility or quality. A study conducted by the General Accounting Office in 1991 concluded that the Library was of limited usefulness and noted that half of the Library's materials were not cataloged and not available. Some 40,000 rare and historical books were found to be in need of repair and many Department employees reported being unaware of the facility and its services.

S. 286 addresses these concerns and establishes a high quality National Education Library. The authorization of appropriations is $10 million. The library is required to establish a coherent policy to acquire and preserve books and other materials, organize all its materials appropriately, establish a policy to disseminate information about the broad availability of materials, and provide research and reference services. The Committee believes that establishment along these lines will do a great deal to increase the stature and visibility of the library.

Subparagraph (p) reauthorizes the Education Resources Information Clearinghouses. The Committee recognizes that the clearinghouses are an effective method of providing information to members of the general public and largely reauthorizes them in their present form. The Committee does, however, believe that ERIC could do a better job of coordinating and selecting key social science journals to be indexed, and therefore, has directed ERIC to develop a coherent policy for the abstracting of books, periodicals, reports, and other materials. The authorization of appropriations is $10 million.

Section 104 permits the Secretary to reserve up to 1% of funds appropriated for any competitive discretionary grant programs to pay expenses and fees of field readers necessary to review applications and proposals for such funds. The Committee recognizes that considerable care and time is involved in the preparation of applications for funds on the part of state and local education agencies and other applicants. The Committee believes that each application should be given every consideration as to its merits and recognizes that open competition can only be conducted in a fair manner if sufficient personnel are provided to review proposals carefully. The Committee emphasizes that this section only applies to discretionary grant programs that are nationally competitive, and not to formula grant programs and programs where specific provisions have been made to support field readers.

Part A of Title II, Educational Improvement Programs, authorizes several new programs which will serve the national education interest well. Part A establishes a new initiative in international education authorizing a study of education in other nations, a comparison of academic achievement in major subject areas between our country and major industrial nations, as an international educational exchange program in civics and government and economics between the United States and Central and Eastern Europe and the Commonwealth of Independent States.

Increasingly, the quality of our educational institutions is measured through comparisons with the educational preparation of students in other nations. The national interest in American competitiveness has ignited intense scrutiny of our own educational stand-

ards, and a rigorous examination of the abilities of our students to compete in the global marketplace. Educational systems of other nations—Japan in particular—are cited as examples of superior academic preparation, and these examples are used widely in the national debate on improving education with little concrete data or evidence to substantiate such assertions. The Committee believes that objective studies of education in other nations would be of considerable benefit to the national debate over what to do here at home. The legislation thus provides an authorization of $1 million to carry out such studies.

In addition, Part A authorizes a new program of international education exchange in civics and government education and economic education with Central and Eastern European countries, and the Commonwealth of Independent States. The successful transition of Central and Eastern European nations and the republics of the former Soviet Union to constitutional democracy and the establishment of market economies is of paramount interest to the United States and world community. The difficulties of this transition are apparent and the need for assistance urgent. The working populations have been forced to cope with daily, dramatic changes in their economic and social lives. New phenomena like unemployment and decreased purchasing power place a significant strain on citizens as they struggle to adjust to a radically altered economic world. In this situation, individual difficulties are compounded by a limited understanding of the market system's mechanisms and operations, and by deeply ingrained negative attitudes toward entrepreneurship, individual prosperity, and the basic mechanisms of the market system.

Increasingly we find these nations turning to the United States for assistance. The most immediate response from both the public and private sectors in the United States has been to focus upon the urgent need to provide the assistance required for the establishment of successful market economies and for the drafting of new constitutions establishing constitutional democracies in a number of these states.

Less attention has been paid to the need to provide these states with assistance in the establishment of civic and economic education programs designed to provide an understanding among their peoples of the essential values and principles of constitutional democracy and the rights and responsibilities of citizens under this form of government, and of the market economic system. Such educational programs are urgently needed to develop among the former subjects of totalitarian systems the commitments to those principles and values which must be held by citizens of a constitutional democracy to enable it to flourish. In addition, recent studies offer conclusive evidence that the region's population currently lacks the knowledge that is needed for productive engagement and effective decisionmaking in the free market economy.

Despite the shortcomings of civic education in many schools in the United States, there are numerous exemplary programs and curricular materials, effective models for teacher training, and a research and evaluation capacity that exceeds those of most, if not all, other advanced nations. The availability of such resources is known to the emerging leadership of many of the Central and East-

ern European nations and the Commonwealth of Independent States whose requests for support from various groups in the United States have been increasing. Such requests far exceed the capacity of the United States to provide assistance with resources presently available from both the public and private sectors. This legislation is intended to be a partial, much needed, and immediate remedy for this shortcoming.

With respect to economics education, if the transformations are to be successful over the longer term, the youth and entrants into the workforce must have gained the attitudes and knowledge needed for productive employment and participation the emerging systems. Research shows that the only feasible method of delivering such understanding is to provide teachers in elementary and secondary schools the skills and materials to teach their students and curricular materials to use in the classroom.

The Committee believes that the success or transformation depends upon common understanding of the benefits and the costs of a democratic market system. Without such understanding it is unlikely that the current reforms can be sustained.

The legislation authorizes $10 million in grants to carry out these activities. Of amounts appropriated, one-half shall be reserved for educational exchange in civics and government, and one-half shall be reserved for exchange programs in economic education. Within each reserve, the Secretary is directed to make one, but not more than three, awards for grants. All grants awarded shall be through an open competition process published in the Federal Register. The Committee is concerned that assistance to other nations provided under this Part be as coordinated as possible to these avoid fragmentation or duplication. It is therefore the hope of the Committee that those awarded grants will coordinate their efforts in providing assistance to other nations.

Part D of Title II creates a new program to provide grants to state and local educational agencies for the procurement of elementary mathematics and science equipment. This part is designed to improve the quality of mathematics and science instruction in elementary classrooms by providing equipment and materials necessary for "hands-on" instruction. Grants provided under this program can be used to purchase science equipment, science materials, or mathematical manipulative materials.

The Committee recognizes that children gain scientific knowledge most effectively through investigation and "hands-on" discovery activities. By funding the Dwight D. Eisenhower Mathematics and Science Act, Congress has provided support for teacher enhancement activities and methodologies. Unfortunately, many elementary school teachers are unable to fully implement new techniques for teaching mathematics and science because their schools lack adequate resources. Less than one-third of the meager time spent on science in elementary classrooms is devoted to "hands-on" activities. One third of all science classrooms in grades four through six had no scientific equipment at all in the years 1985–1986. That same year, sixty four percent of all minority third grade students reported they had never used a microscope.

The results are distressing. Research indicates that half of our young students have lost interest in mathematics and science by

the time they leave the seventh grade. The situation must be remedied if America is to produce a technologically literate workforce as well as engineers, scientists and mathematicians needed to remain economically competitive in an increasingly complex world.

This part provides for an authorization of $10 million in the first year and such sums as necessary in the following four years to purchase elementary mathematics and science equipment. Funds would be distributed to the states by formula with 50 percent of the distribution based on the number of children 5–17 years old and 50 percent based on allocations under sections 1005 and 1006 of Chapter 1 of Title I of the Elementary and Secondary Education Act of 1965. The states will coordinate grants to local education agencies who meet application requirements by presenting a well developed plan for coordinating their purchases with teacher training activities designed to support "hands-on" laboratory activities. Funds will be restricted to basic equipment and materials, not computers, computer software, or textbooks.

Part E of Title II authorizes OERI to fund a public television project which would support reading comprehension and writing skill development for elementary school students. The Committee believes the Department of Education should take a lead role in supporting the development and demonstration of new teaching methods for the nation's children.

The Department has provided such leadership in the past with support for the development of the Sesame Street series. Since then the Department has teamed with the National Science Foundation to support programs such as 3–2–1 Contact and Square One TV. Such programs provide important lessons and educational motivation to millions of children daily. S. 286 authorizes $5 million in appropriations for media instruction.

Part F of Title II is a technical correction to the Star Schools Assistance Act to limit funds for evaluation to no more than $500,000.

Part H of Title II authorizes a new $5 million program to encourage instruction for minorities and Native Americans in American government and civics. The Committee intends that the funds be used to create a national program of summer teacher training and staff development seminars, followed by in-service programs conducted on college and university campuses or other appropriate sites. Seminars would offer a combination of academic instruction in American government, including tribal government, exposure to the practical workings of the political system, and training in effective teaching methods. The Minority Focused Civics Education Act is modeled on the success of Taft Seminars for Teachers in this field.

Title III provides standard definitions for elementary and secondary schools, institution of higher education, and state and local educational agencies.

V. Regulatory Impact Statement

The Committee has determined that there will be minimal increases in regulatory burden imposed by this bill.

VI. COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 9, 1993.

Hon. EDWARD M. KENNEDY,
Chairman, Committee on Labor and Human Resources,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed revised cost estimate for S. 286, the Educational Research and Improvement Act of 1993, as ordered reported by the Senate Committee on Labor and Human Resources on November 3, 1993. The revised estimate removes the costs of the Transfer of Education and Training Software program under Title II, Educational Improvement Programs. This item was erroneously included in the legislative language previously provided to CBO.

Enactment of S. 286 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to this bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

JAMES L. BLUM
(For Robert D. Reischauer, Director).

Enclosure.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

1. Bill number: S. 286.
2. Bill title: Educational Research and Improvement Act of 1993.
3. Bill status: As ordered reported by the Senate Committee on Labor and Human Resources on November 3, 1993.
4. Bill purpose: To reauthorize funding for the Office of Educational Research and Improvement, to provide for miscellaneous education improvement programs, and for other purposes.
5. Estimated cost to the Federal government:

FEDERAL GOVERNMENT COSTS

(By fiscal year, in millions of dollars)

	1994	1995	1996	1997	1998
TITLE I: OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT					
Directorates for educational research:					
Estimated authorization level		100	103	105	108
Estimated outlays		43	94	104	106
Regional educational laboratories:					
Estimated authorization level		41	42	43	44
Estimated outlays		18	39	43	44
Teacher Research Dissemination Demonstration Program:					
Estimated authorization level		10	10	11	11
Estimated outlays		4	9	10	11
Office of Dissemination and Reform Assistance:					
Estimated authorization level		5	5	5	5
Estimated outlays		2	5	5	5
National diffusion network State facilitators:					
Estimated authorization level		10	10	11	11
Estimated outlays		4	9	10	11

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FEDERAL GOVERNMENT COSTS—Continued

[By fiscal year, in millions of dollars]

	1994	1995	1996	1997	1998
National education library:					
Estimated authorization level		10	10	11	11
Estimated outlays		4	9	10	11
Education resources information clearinghouses:					
Estimated authorization level		10	10	11	11
Estimated outlays		4	9	10	11
Subtotal—Title I:					
Estimated authorization level		186	191	196	201
Estimated outlays		80	175	193	198
TITLE II: EDUCATIONAL IMPROVEMENT PROGRAMS					
International Education Program—Assessment and information:					
Estimated authorization level		1	1	1	1
Estimated outlays		(1)	1	1	1
International Education Program—International education exchange:					
Estimated authorization level		10	10	11	11
Estimated outlays		1	8	10	11
Elementary Science Equipment Program:					
Estimated authorization level		10	10	11	
Estimated outlays		1	8	10	9
Media Instruction:					
Estimated authorization level		5	5	5	
Estimated outlays		1	4	5	5
Minority-focused civics education:					
Estimated authorization level		5	5	5	5
Estimated outlays		1	4	5	5
Subtotal—Title II:					
Estimated authorization level		31	32	33	17
Estimated outlays		4	25	31	31
Bill total:					
Estimated authorization level		217	223	229	218
Estimated outlays		84	200	224	228

(1) Less than $500,000.

Note: Details may not add to totals because of rounding.

The costs of this bill fall within budget function 500.

Basis of estimate: S. 286 authorizes a variety of education activities related to research and educational improvement. For each activity, the amount authorized for appropriation is stated for fiscal year 1995, but such sums as may be necessary are authorized for later years. CBO estimates the later-year authorizations by adjusting the specified level for projected inflation. Outlays are estimated by considering historical spending patterns for these and similar programs. Estimated outlays assume full appropriation of authorized amounts.

6. Pay-as-you-go considerations: The Balanced Budget and Emergency Deficit Control Act of 1985 sets up procedures for legislation affecting direct spending or receipts through 1998. CBO estimates that enactment of S. 286 would not affect direct spending or receipts. Therefore, pay-as-you-go procedures would not apply to this bill.

7. Estimated cost to State and local governments: None.
8. Estimate comparison: None.
9. Previous CBO estimate: CBO provided an earlier estimate for S. 286 on November 8, 1993. The revised estimate removes the costs of the Transfer of Education and Training Software program under Title II, Educational Improvement Programs. This item was erroneously included in the legislative language previously provided to CBO.
10. Estimate prepared by: Dorothy Rosembaum.
11. Estimate approved by: Paul van de Water for C.G. Nuckols, Assistant Director for Budget Analysis.

VII. SECTION-BY-SECTION ANALYSIS

Section 1. Short Title; Table of Contents

This section provides the short title for this Act: the Educational Research and Improvement Act of 1993. The section also contains the table of contents.

TITLE I. OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

Section 101. Repeal

This section repeals section 405 of the General Education Provisions Act (GEPA), which authorized appropriations through FY 1991 for educational research and development activities in the Office of Educational Research and Improvement (OERI).

Section 102. Office of Educational Research and Improvement

This section authorizes the educational research and improvement activities under the administration of the OERI.

Subsection a: purposes composition; definitions

Six purposes are defined for the OERI concerning improvement of the quality and equity of education in the United States; school reform and the National Education Goals; leadership in scientific educational inquiry; leadership in advancing educational practice; collection, analysis, and dissemination of educational statistics; and reporting on educational research and development activities to the Congress and the American people. OERI is to be administered by an Assistant Secretary and consist of an Advisory Board of Educational Research, directorates for educational research, regional educational laboratories, the Office of Educational Dissemination and Reform Assistance, the National Educational Library, the Educational Resources Information Clearinghouses, the National Center for Education Statistics (including the National Assessment of Educational Progress), and other entities appropriate to the Office. The Advisory Board is to consist of nine members, to be appointed by the Secretary for staggered periods of 6 years, on the basis of eminence or distinguished service in research. The duties of the Advisory Board include advising the Nation on the Federal research and development effort and recommending ways to strengthen such activities. For the purposes of this section, definitions are given for the terms: Advisory Board, Assistant Secretary,

development, dissemination, education research, field-initiated research, Office, and technical assistance.

Subsection b: authorized activities

The Office is authorized to: conduct and support education-related research activities; disseminate the findings of such research and provide technical assistance; collect, analyze, and disseminate data; promote the use of knowledge gained from research and statistics; provide training in education research; and promote coordination of education research. The Office use open competition and peer review for all grants, contracts, and cooperative agreements. The Assistant Secretary must ensure public and professional involvement in planning and implementing OERI activities, ensure freedom from partisan political influence in program administration, develop standards for the conduct of OERI activities, establish a research agenda in consultation with the Advisory Board, and review research priorities within directorates and promote synthesis of research across the directorates. The Assistant Secretary must prepare and submit to the President and the Congress a 6 year plan for the educational research agenda for OERI, and report every 2 years on progress made toward meeting the objectives of the plan, and well as any necessary modifications to the plan itself. The Secretary must conduct independent evaluations of the effectiveness, implementation, and impact at OERI programs and activities and transmit the results to the Congress, the President, and the Assistant Secretary.

Subsection c: Directorates of educational research

The Assistant Secretary must establish five directorates of educational research. Each directorate must have a director, appointed by the Assistant Secretary. Each directorate may carry out its responsibilities directly, or through grants, contracts, or cooperative agreements to: conduct basic and applied research; serve as a national database; support and operate research dissemination activities; and coordinate its activities with the regional educational laboratories and other educational service organizations. Each directorate must reserve at least one-third of the amount available to it to conduct field-initiated research, and at least one-third for grant, contract, or cooperative agreement awards with institutions of higher education, public agencies, or private, nonprofit organizations for the support of long-term national research centers. Such centers must conduct research, development, and dissemination activities relevant to the mission of the directorate that is supporting that center. Directorate support for national research centers must be for periods of at least 5 years, renewable for an additional 5 years following review by the Assistant Secretary. The research priorities of each national center must be published every 2 years in the Federal Register to allow public comment and suggestions.

Subsection d: National directorate on curriculum, instruction, and assessment

A directorate must be established to conduct research on methods to improve student learning, basic and higher order skills, teaching methods to reach all students, new educational assess-

ments and standards, testing and test bias, teacher training, and the use of technology in teaching and testing.

Subsection e: National directorate on the educational achievement of historically underserved populations

A directorate must be established to conduct research on the quality of educational opportunities afforded historically underserved populations, as well as effective institutional practices for expanding such opportunities, overcoming the barriers to learning, improving teaching and professional development methods, and using technology to improve the opportunities and achievement of such populations.

Subsection f: National directorate on early childhood development and education

A directorate must be established to conduct research on the family and community as they relate to education, including methods of teaching and learning, access to library materials, family literacy and parental involvement, the impact of outside influences such as television or substance abuse, teacher training, readiness to learn, and the use of technology.

Subsection g: National directorate of elementary and secondary educational governance, finance, policymaking, and management

A directorate must be established to conduct research on the school-based management, State and local educational reforms, innovative school practices, the social organization of schooling, the impact of policy decisions on school achievement, the organization of effective learning practices, effective methods of grouping students to improve learning, the proportion of education expenditures spent for direct classroom activities, the organization and finance of vocational education, disparity of school finances among States and local educational agencies, the use of technology for school management and finances, and approaches to systemic reform through multiple levels of government. As appropriate, this Directorate will continue research suggested or recommended by the Commission on Time and Learning.

Subsection h: National directorate on adult education and lifelong learning

A directorate must be established to conduct research on effective training methods to upgrade the education and vocational skills of adults, opportunities for continuing education and lifelong learning, effective methods for the elimination of adult literacy, retraining techniques to meet the changing needs of the work force, and the use of technology to improve adult training methods.

Subsection i: Personnel

The Assistant Secretary is granted the authority to appoint scientific or professional employees, for terms not to exceed 3 years and without regard to competitive service, classification, or pay rates of the General Schedule. However, the numbers of such staff shall not exceed one-fifth of the number of full-time, regular sci-

entific or professional staff at OERI, and the pay must not exceed the maximum annual rate of pay for grade GS–15. Such employees may be reappointed for one additional term not to exceed 3 years.

Subsection j: Selection procedures and fellowships

When making competitive awards, the Assistant Secretary must solicit advice from qualified experts, such as professionals from the research and development centers and regional educational laboratories supported through the Office, and must use peer review in the selection procedures. Modifications to cooperative agreements must be negotiated with all parties to the agreement. The Assistant Secretary must publish in the Federal Register every 2 years the priorities for research fellowships, as well as an invitation for applicants to compete for such fellowships. These fellowships may be established and maintained within OERI, including stipends, allowances, travel, and subsistence expenses.

Subsection k: Regional educational laboratories for research, dissemination, and technical assistance

The Assistant Secretary must support at least 10, but no more than 20, regional educational laboratories established by public agencies or private nonprofit organizations. To create a new region, appropriations must reach a minimum of $38 million and new laboratories must be funded with at least $2 million. Laboratories must serve the education improvement needs of a geographic region and advance the National Education Goals. The primary function of each lab is to develop and disseminate educational research products and processes to teachers, librarians, school, and other educational agencies, and to help all students meet challenging standards. Labs must also: provide technical assistance to State and local educational agencies, school boards, and schools funded by the Bureau of Indian Affairs; facilitate school restructuring; serve educational development needs of the region; assist in solving site-specific problems; conduct applied research to meet the particular needs of the region; facilitate communication between research experts and local schools and educators; coordinate teams of experts to implement school improvement plans; provide training in research, new educational methods, and the use of information; coordinate activities with OERI directorates to maximize the use of research; develop a plan for serving the region; and collaborate and coordinate activities with other technical assistance supported by the Department of Education.

Each lab must operate under the direction of a governing board representing the region and its teachers and educational research activities. Each board must formulate the mission for the lab in consultation with the Assistant Secretary, ensure quality in lab activities, establish standards for lab management, conduct surveys of the region's condition of education, and establish priorities for the lab. Each lab shall be eligible to receive other assistance from OERI. The Assistant Secretary will support the labs through contracts for a minimum of 5 years, with competition cycles consistent with the authorization cycle for this Act. In the third year of each contract, the Assistant Secretary will review and evaluate the work of each lab. It is stipulated that nothing in this subsection can be

construed to require any modification of lab contracts in existence on the day preceding the enactment of this Act. Each lab must participate in the advance payment system of the Department of Education. Each lab must work collaboratively with the technical assistance centers supported by the Elementary and Secondary Education Act of 1965.

Subsection l: Teacher research dissemination demonstration program

The Congress finds that educational research is not having the impact on the Nation's schools that it should, and that relevant research and resulting solutions are not being received or used by teachers in their classrooms. The Secretary is authorized to make awards for projects that demonstrate effective strategies for helping teachers utilize educational research, with a priority given to entities that have already received Federal funds for research and dissemination. Funds may be used to train teachers about the sources of educational research findings, develop simple formats to allow teachers easy access to such findings, support professional networks, and survey teacher needs for research and development. Recipients must coordinate their activities with related activities conducted under the Elementary and Secondary Education Act of 1965. The Secretary must submit to the Congress within 5 years of the enactment of this Act a report on the effectiveness of activities assisted under this subsection.

Subsection m: Office of Dissemination and Reform Assistance

The Assistant Secretary must establish an office for dissemination and reform assistance and appoint as its director an expert in dissemination. Such an office may include: the Educational Resources Information Clearinghouses, regional educational laboratories, the National Clearinghouse for Science and Mathematics Resources, the National Diffusion Network, the National Education Library, and other programs at the discretion of the Assistant Secretary. The office must: operate a depository of all publications and reports of the Department of Education and make them available for reproduction; coordinate the dissemination or related activities supported by OERI; disseminate relevant information to the Nation's schools; develop a capacity to connect schools and teachers with relevant sources of information; and submit an annual report to the Secretary. In addition, the office may engage in the use of media and other educational technology, operate a database, encourage cooperative publications, and disseminate information on successful models and methods.

Subsection n: National diffusion network State facilitators

This subsection modifies the program of the National Diffusion Network authorized under the Elementary and Secondary Education Act of 1965 to provide information on model or demonstration projects through the Network's State facilitators, without approval of the program effectiveness panel. In addition, the Network may disseminate other information from the OERI Office of Education Dissemination and Reform Assistance.

Subsection o: National Education Library

The National Library of Education is established within the Department of Education. The Library must be a national resource center and provide resources to assist in the advancement of research on education, the dissemination and exchange information, and the improvement of educational achievement. In addition, the Library must collect and preserve educational research information, ensure widespread access to its facilities and materials, employ an expert library staff, and use modern information technology with the potential of creating a national network of education resources. The Secretary shall appoint an individual with extensive experience to be the librarian to head the Library.

Subsection p: Education resources information clearinghouses

The Assistant Secretary must establish and support Education Resources Information Clearinghouses, with the same functions as such clearinghouses had on the day preceding the enactment of this Act. In addition, the Assistant Secretary must establish a policy for the clearinghouses regarding the abstraction and inclusion of information and materials related to education.

Subsection q: Authorization of Appropriations

The authorizations of appropriations for FY 1995 is as follows: for the OERI directorates, $100 million of which as much as $10 million may be used for research synthesis and coordination; for the regional educational laboratories, $37 million; for the regional educational laboratories, $41 million; for the teacher research dissemination demonstration program, $10 million; for the Office of Dissemination and Reform Assistance, $5 million; for the National Diffusion Network State facilitators, $10 million; for the National Education Library, $10 million; and for the Educational Resources Information Clearinghouses, $7 million.

Special provisions are required for the allocation among the various directorates, with a different set of allocation procedures for any year in which the appropriation is $70 million or less. For the teacher research program, the Secretary may use not more than 0.2 percent of the appropriation for peer review of applications. When several Federal agencies administer a single project, the OERI may act to administer the funds for that project.

Subsection r: Existing contracts and grants

Existing contracts with the regional education laboratories and grants for research and development centers on the day preceding the enactment of this Act shall remain in effect until their termination dates. Grants for centers that terminate before the competition is completed for new centers under this Act may be extended until new awards are made.

Section 103. Savings provisions

This section provides for the continuation of certain specific legal arrangements relevant to OERI that were made prior to the enactment of this Act.

Section 104. Field readers

This section amends section 402 of the Department of Education Organization Act to limit in certain instances the Secretary's use of Federal funds to pay the expenses and fees of non-Federal experts for the review of applications and proposals for such funds. The limitation is 1 percent of the funds appropriated for any Federal program that awards such funds on a competitive basis.

TITLE II. EDUCATIONAL IMPROVEMENT PROGRAMS

PART A—INTERNATIONAL EDUCATION PROGRAM

Section 211. International Education Program

This section authorizes the Secretary to conduct a study of international education programs and delivery systems and to establish an international education exchange program. The study is to include an evaluation and analysis of education systems in other nations, particularly Great Britain, France, Germany, and Japan, and will analyze successful strategies for the improvement of student achievement in other nations. The exchange program authorizes grants or contracts to independent nonprofit education organizations to encourage sharing information related to curriculum and training programs, with the grants divided so that 50 percent is reserved for civics and government education activities, and 50 percent for economic education activities. Authorized activities include seminars, school visits, translation of relevant documents, research and evaluation. The primary exchange participants must be leading educators, scholars, and educational policy makers. Eligible countries are restricted to central and eastern Europe, the Commonwealth of Independent States, and any country formerly part of the Soviet Union whose political independence is recognized by the United States. There are authorized to be appropriated $1 million for FY 1995 and such sums as may be necessary through FY 1999 for the study, and $10 million for FY 1995, and such sums as may be necessary through FY 1999, for the exchange program.

PART B—TRANSFER OF EDUCATION AND TRAINING SOFTWARE

Section 221. Transfer of education and training software

The is section amends the Training Technology Transfer Act of 1988 to extend its authorization of appropriations, providing $3 million for FY 1995 and such sums as may be necessary through FY 1999.

PART C—AMENDMENTS TO THE CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY EDUCATION ACT

Section 231. National occupational information coordinating committee

This section amends section 422 of Perkins Act to: clarify that employment and training programs include postsecondary employment and training programs; include a representative from the State board or agency governing higher education on each State coordinating committee; include the State board or agency governing higher education among the entities served by each State data sys-

tem; and require each State board for higher education to develop a data collection system that is capable of integration with the national occupational information system operated by the National Occupational Information Coordinating Committee.

PART D—ELEMENTARY SCIENCE EQUIPMENT PROGRAM

Section 241. Short title

The section provides the short title for this part: the Elementary Science Equipment Act.

Section 242. Statement of purpose

This section states that the purpose of this part is to raise the quality of instruction in mathematics and science programs in elementary schools through assistance to State and local education agencies.

Section 243. Program authorized

This section authorizes the Secretary to make allotments to State education agencies who in turn award grants to local education agencies to provide equipment and materials to improve mathematics and science education in elementary schools.

Section 244. Allotment of funds

This section provides the allotment formula for the amount appropriated: up to one half of 1 percent is to be distributed among the outlying areas according to their respective needs; one half of 1 percent for programs for Indian students served by schools funded by the Secretary of the Interior; and remaining funds are distributed to State education agencies in the 50 States, the District of Columbia, and the Commonwealth of Puerto Rico. Half of the funds to these States are distributed in proportion to the number of children 5 to 17 years in age, and half in proportion to each State's share of allocations under chapter 1, title I of the Elementary and Secondary Education Act, except that no State is to receive less than half of 1 percent of the amount available to the States or less than the amount received in FY 1988 under title II of the Education for Economic Security Act.

Section 245. State applications

This section requires that each State, in order to receive funds, must submit an application to cover a period of 5 fiscal years. Each application must provide assurances related to the use of funds and the implementation of activities; describe how the use of funds will be coordinated with State, local, and other Federal resources; and describe procedures to be used for applications for funds from public and private schools, as well as application approval procedures to be used at the State at the State agency. The use of funds for administrative costs is limited to 5 percent of the total grant to each State.

Section 246. Local application

This section requires that each local education agency, in order to receive funds, must submit an application to the State education

agency. The application must describe how the local agency will set priorities on the use and distribution of funds, provide assurances that it has attempted to match Federal funds with funds from private or public sources, describe the coordination of Federal funds with other funds, and describe the procedure for the determination of awards to schools with different needs. Priorities are specified for determining grants awarded by State education agencies.

Section 247. Participation of private schools

This section requires each State education agency to arrange for the equitable participation of children from private nonprofit schools in the services and other benefits provided under this program, consistent with the number of such children.

Section 248. Program requirements

This section requires State agencies receiving funds under this part to: disseminate information about this program, evaluate local applications, and evaluate annual summaries of local programs and submit such evaluations to the Secretary. Grants and matching funds may be used only for the purchase of scientific equipment and mathematics and science materials, and not for computer hardware or software or staff development; however, up to 50 percent of any local matching funds may be used for specified capital improvements of classroom science facilities.

Section 249. Federal administration

This section requires the Secretary to provide technical assistance and develop procedures for State and local program evaluation. The Secretary must report on this program annually to the Congress.

Section 250. Authorization of appropriations

This section authorizes to be appropriated $10 million for FY 1995, and such sums as may be necessary through FY 1997, to carry out this program.

PART E—MEDIA INSTRUCTION

Section 251. Media instruction

This section authorizes the Secretary to enter into a contract with an independent nonprofit organization for the establishment of a national multimedia television-based project. The purpose is to motivate and improve the reading and writing skills of elementary school children. There are authorized to be appropriated $5 million for FY 1995, and such sums as may be necessary for FY 1996 and FY 1997, to carry out this program.

PART F—STAR SCHOOLS

Section 261. Star Schools

This section amends the Star Schools [Program] Assistance Act to clarify the amount to be reserved annually from appropriations for the evaluation of program activities.

PART G—OFFICE OF COMPREHENSIVE SCHOOL HEALTH EDUCATION

Section 271. Office of Comprehensive School Health Education

This section amends title IV of the Elementary and Secondary Education Act of 1965 (ESEA) to place to Office of Comprehensive School Health Education within the Office of Elementary and Secondary Education, thereby removing it from the Office of the Secretary. The Health Education Office is given the additional responsibilities to act as a liaison office with the Department of Health and Human Services and to expand school health research grant programs.

PART H—MINORITY-FOCUSED CIVICS EDUCATION

Section 281. Short Title

This section provides the short title for this part: the Minority-Focused Civics Education Act of 1993.

Section 282. Purposes

This section states that the purpose of this program is to encourage the improvement of instruction in American government and civics courses for minorities and Native Americans through summer seminars and institutes for teacher training and staff development, followed by inservice training programs during the academic year. Eligible participants include teachers in the areas of social studies, American history, government, and civics, as well as other educators who work with minority and Native American youth.

Section 283. Grants authorized; authorization of appropriations

This section authorizes the Secretary to make grants for seminars in minority-focused civics education, and requires the Secretary to ensure a wide geographic distribution of such awards. It authorizes to be appropriated $5 million for FY 1995, and such sums as may be necessary through FY 1998, to carry out this part.

Section 284. Definitions

This section defines for the purposes of this part the terms: eligible entity and State higher education agency.

Section 285. Applications

This section describes the application procedures for this program. In order to apply for funds, an eligible entity must submit an application to the Secretary. Each application must describe the instructional program, assure appropriate credit for completion of summer instructional programs, describe how those active in the political process will contribute to the program, assure nonpartisan seminars, describe how the seminars will address the role of minorities and Native Americans in the American political process, describe pedagogical components that will allow participants to teach to minorities and Native Americans, identify eligible entities that will conduct the seminars, describe plans to collaborate with national organizations in American government and civics education, assure that educators participating in the summer seminars will provide inservice training programs based on what they have

learning, and describe the activities or services for which assistance is needed. The Secretary must give priority to applications that demonstrate: service to teachers from schools serving concentrations of low-income students; experience in conducting summer seminars for teachers; capacity to collaborate with other organizations with experience with teacher training programs; capacity to design seminars for more than one minority student population and for Native Americans; and a combination of academic instruction in American government, practical workings of the political system, and training in teaching techniques for minority students and Native American students.

TITLE III. DEFINITIONS

Section 301. Definitions

This section defines for the purposes of this act the terms: elementary school, institution of higher education, local educational agency, secondary school, Secretary, and State educational agency.

VIII. CHANGES IN EXISTING LAW

In compliance with rule XXVI paragraph 12 of the Standing Rules of the Senate, the following provides a print of the statute or the part or section thereof to be amended or replaced (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

GENERAL EDUCATION PROVISIONS ACT

* * * * * * *

[OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

[SEC. 405. (a)(1) The Congress declares it to be the policy of the Unites States to provide to every individual an equal opportunity to receive an education of high quality regardless of his race, color, religion, sex, age, handicap, national origin, or social class. Although the American educational system has pursued this objective, it has not attained the objective. Inequalities of opportunity to receive high quality education remain pronounced. To achieve the goal of quality education requires the continued pursuit of knowledge about education through research, improvement activities, data collection, and information dissemination. While the direction of American education remains primarily the responsibility of State and local governments, the Federal Government has a clear responsibility to provide leadership in the conduct and support of scientific inquiry into the educational process.

[(2) The Congress further declares it to be the policy of the United States to—

[(A) promote the quality and equity of American education,

[(B) advance the practice of education as an art, science, and profession;

[(C) support educational research of the highest quality;

[(D) strengthen the educational research and development system;

[(E) improve educational techniques and training;

[(F) assess the national progress of this Nation's schools and educational institutions, particularly special populations; and;

[(G) collect, analyze, and disseminate statistics and other data related to education in the United States and other nations.

[(3) For purposes of this section—

[(A) the term "Assistant Secretary" means the Assistant Secretary for Educational Research and Improvement established by section 202 of the Department of Education Organization Act;

[(B) the term "Council" means the National Advisory Council on Educational Research and Improvement established by subsection (c);

[(C) the term "educational research" includes basic and applied research, development, planning, surveys, assessments, evaluations, investigations, experiments, and demonstrations in the field of education and other fields relating to education;

[(D) the term "Office" means the Office of Educational Research and Improvement established by section 209 of the Department of Education Organization Act; and

[(E) the terms "United States" and "State" include the District of Columbia and the Commonwealth of Puerto Rico.

[(b)(1) It shall be the purpose of the Office to carry out the policies set forth in subsection (a) of this section. The Office shall be administered by the Assistant Secretary and shall include—

[(A) the National Advisory Council on Educational Research and Improvement established in subsection (c);

[(B) the Center for Education Statistics established by section 406; and

[(C) such other units as the Secretary deems appropriate to carry out the purposes of the Office.

[(2) The Office shall, in accordance with the provisions of this section, seek to improve education in the United States through concentrating the resources of the Office on the priority research and development needs described in paragraph (3).

[(3) The needs to which paragraph (2) apply are—

[(A) improving student achievement;

[(B) improving the ability of schools to meet their responsibilities to provide equal educational opportunities for all students, including those with limited English-speaking ability, women, older students, part-time students, minority students, gifted and talented students, handicapped students, and students who are socially, economically, or educationally disadvantaged;

[(C) collecting, analyzing, and disseminating statistics and other data related to education in the United States and other nations;

[(D) improving the dissemination and application of knowledge obtained through educational research and data gathering, particularly to education professionals and policy makers;

[(E) encouraging the study of the sciences, the arts, and the humanities, including foreign languages and cultures;

[(F) improving the data base of information on special populations and their educational status;

[(G) conducting research on adult educational achievement, particularly literacy and illiteracy as it affects employment, crime, health, and human welfare;

[(H) conducting research on postsecondary opportunities, especially access for minorities and women; and

[(I) conducting research on education professionals, especially at the elementary and secondary levels including issues of recruitment, training, retention, and compensation.

[(4) The Secretary shall publish proposed research priorities in the Federal Register every two years, not later than October 1, and shall allow a period of sixty days for public comments and suggesions.

[(c)(1) The Council shall consist of fifteen members appointed by the President, by and with the advice and consent of the Senate. In addition, there shall be such ex officio members who are officers of the United States as the President may designate, including the Assistant Secretary. A majority of the appointed members of the Council shall constitute a quorum. The Chairman of the Council shall be designated by the President from among the appointed members. Ex officio members shall not have a vote on the Council. The members of the Council shall be appointed to ensure that the Council is broadly representative of the general public; the education professions, including practitioners; policymakers and researchers; and the various fields and levels of education.

[(2)(A) Except as provided in subparagraph (B), members shall be appointed to terms of three years.

[(B) Of the members first appointed—

[(i) five shall be appointed for terms of one year;

[(ii) five shall be appointed for terms of two years; and

[(iii) five shall be appointed for terms of three years;

as designated by the President at the time of appointment.

[(C) Any member appointed to fill a vacancy occurring before the expiration of the term for which the predecessor was appointed shall be appointed only for he remainder of such term. A member may serve after the expiration of a term until a successor has taken office.

[(D) An appointed member who has been a member of the Council for six consecutive years shall be ineligible for appointment to the Council during the two-year period following the expiration of the sixth year.

[(3) The Council shall—

[(A) advise the Secretary and the Assistant Secretary on the policies and activities carried out by the Office;

[(B) review and publicly comment on the policies and activities of the Office;

[(C) conduct such activities as may be necessary to fulfill its functions under this subsection;

[(D) prepare such reports to the Secretary on the activities of the Office as are appropriate; and

[(E) submit, no later than March 31 of each year, a report to the President and the Congress on the activities of the Of-

fice, and on education, educational research, and data gathering in general.

[(d)(1) In order to carry out the objectives of the Office under this section, the Secretary within the limits of available resources shall—

[(A) conduct educational research;

[(B) collect, analyze, and disseminate the findings of education research;

[(C) train individuals in educational research;

[(D) assist and foster such research, collection, dissemination, and training through grants, cooperative agreements, and technical assistance;

[(E) promote the coordination of educational research and research support within the Federal Government and otherwise assist and foster such research; and

[(F) collect, analyze, and disseminate statistics and other data related to education in the United States and other nations.

[(2)(A) The Secretary may appoint, for terms not to exceed three years (without regard to the provisions of title 5 of the United States Code governing appointment in the competitive service) and may compensate (without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates) such scientific or professional employees of the Office as the Secretary considers necessary to accomplish its functions. The Secretary may also appoint and compensate not more than one-fifth of the number of full-time, regular scientific or professional employees of the Office without regard to such provisions. The rate of basic pay for such employees may not exceed the maximum annual rate of pay for grade GS–15 under section 5332 of title 5 of the United States Code, except that the pay of any employee employed before the date of enactment of the Higher Education Amendments of 1986 shall not be reduced by application of such maximum pay limitation.

[(B) The Secaretary may reappoint employees described in subparagraph (A) upon presentation of a clear and convincing justification of need, for one additional term not to exceed three years. All such employees shall work on activities of the Office and shall not be reassigned to other duties outside the Office during tier term.

[(C) Individuals who are employed on the date of enactment of this Act and were employed by such Office on April 1, 1986, and who were employed under excepted hiring authority provided by section 209 of the Department of Education Organization Act or this section may continue to be employed for the duration of their current term.

[(3)(A) The Secretary may carry out the activities in paragraph (1)—

[(i) directly;

[(ii) through grants, contracts, and cooperative agreements with institutions of higher education, public and private organizations, institutions, agencies, and individuals; and

[(iii) through the provision of technical assistance.

[(B) When making competitive awards under this subsection, the Secretary shall—

[(i) solicit recommendations and advice regarding research priorities, opportunities, and strategies from qualified experts, such as education professionals and policymakers, personnel of the regional education laboratories and of the research and development centers supported under paragraph (4), and the Council, as well as parents and other members of the general public;

[(ii) employ suitable selection procedures utilizing the procedures and principles of peer review, except where such peer review procedures are clearly inappropriate given such factors as the relatively small amount of a grant or contract or the exigencies of the situation; and

[(iii) determine that the activities assisted will be conducted efficiently, will be of high qualify, and will meet priority research and development needs under this section.

[(C) Whenever the Secretary enters into a cooperative agreement under this section, the Secretary shall negotiate any subsequent modifications in the cooperative agreement with all parties to the agreement affected by the modifications.

[(4)(A) In carrying out the functions of the Office, the Secretary shall, in accordance with the provisions of this subsection, support—

[(i) regional educational laboratories established by public agencies or private nonprofit organizations to serve the needs of a specific region of the Nation under the guidance of a regionally representative governing board, the regional agendas of which shall, consistent with the priority research and development needs established by subsections (b) (2) and (3), be determined by the governing boards of such labs;

[(ii) research and development centers established by institutions of higher education, by institutions of higher education in consort with public agencies or private nonprofit organizations, or by interstate agencies established by compact which operate subsidiary bodies established to conduct postsecondary educational research and development;

[(iii) meritorious unsolicited proposals for educational research and related activities that are authorized by this subsection; and

[(iv) proposals that are specifically invited or requested by the Secretary, on a competitive basis, which meet objectives authorized by this subsection.

[(B) Prior to awarding a grant or entering into a contract for a regional educational laboratory or research and development center under subparagraph (A)(i) or (A)(ii), the Secretary shall invite applicants to compete for such laboratories and centers through notice published in the Federal Register.

[(C) Each application for assistance under subparagraph (A) (i) or (ii) as a regional educational laboratory or a research and development center shall contain such information as the Secretary may reasonably require, including assurances that the applicant will—

[(i) be responsible for the conduct of the research and development activities;

[(ii) prepare a long-range plan relating to the conduct of such research and development activities;

[(iii) ensure that information developed as a result of such research and development activities, including new educational methods, practices, techniques,and products, will be appropriately disseminated;

[(iv) provide technical assistance to appropriate educational agencies and institutions; and

[(v) to the extent practicable, provide training for individuals, emphasizing training opportunities for women and members of minority groups, in the use of new educational methods, practices, techniques, and products developed in connection with such activities.

[(D) No grant may be made and no contract entered into for assistance described under subparagraph (a)(i) or (ii) unless—

[(i) proposals for assistance under this subsection are solicited from regional educational laboratories and research and development centers by the Office;

[(ii) proposals for such assistance are developed by the regional educational laboratories and the research and development centers in consultation with the Office; and

[(iii) the Office determines that the proposed activities will be consistent with the education research and development program and dissemination activities which are being conducted by the Office.

[(E) No regional educational laboratory or research and development center receiving assistance under this subsection shall, by reason of the receipt of that assistance, be ineligible to receive any other assistance from the Office authorized by law.

[(F) The Secretary shall make available adequate funds to support meritorious, unsolicited proposals as described under subparagraph (A)(iii), and provide sufficient notice of the availability of such funds to individual researchers in all regions of the country.

[(5) The Secretary, from funds appropriated under this section, may establish and maintain research fellowships in the Office, for scholars, researchers, and statisticians engaged in the collection and dissemination of information about education and educational research. Subject to regulations published by the Secretary, fellowships may include such stipends and allowance, including travel and subsistence expenses provided for under title 5, United States Code, as the Secretary considers appropriate.

[(6) The Secretary may award grants to institutions of higher education, including technical and community colleges as appropriate, to assess the new and emerging specialties and the technologies, academic subjects, and occupational areas requiring vocational education, with emphasis on the unique needs for preparing an adequate supply of vocational teachers of handicapped students. The Secretary shall give special consideration to the preparation required to teach classrooms of handicapped, or other highly targeted groups of students, in combination with other nonhandicapped or other nontargeted students, within the same vocational education setting.

[(e)(1) There are authorized to be appropriated to carry out this section, $72,231,000 for fiscal year 1987 and such sums as may be necessary for each of the four succeeding fiscal years.

[(2) The Secretary may not enter into a contract for the purpose of regional educational laboratories under subsection (d)(3)(A)(i) for a period in excess of five years.

[(3) Not less than 95 per centum of funds appropriated pursuant to this subsection for any fiscal year shall be expended to carry out this section through grants, cooperative agreements, or contracts.

[(4) When more than one Federal agency uses funds to support a single project under this section, the Office may act for all such agencies in administering those funds.

[(f)(1) In each fiscal year for which the total amount appropriated to carry out this section and section 406 of this Act equals or exceeds the total amount appropriated for fiscal year 1986 to carry out such sections—

[(A) not less than $17,760,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(ii) of this section (relating to centers);

[(B) not less than $17,000,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(i) of this section (relating to labs);

[(C) not less than $5,700,000 shall be available in each fiscal year to assist a separate system of 16 education resources information clearinghouses (including direct supporting dissemination services) pursuant to subsection (d)(3)(A) of this section, having the same functions and scope of work as the clearinghouses had on the date of enactment of the Higher Education Amendments of 1986;

[(D) Not less than $9,500,000 for the fiscal year 1989, and such sums as may be necessary for each of the fiscal years 1990 through 1993, shall be available to carry out section 406(i) of this Act (relating to the National Assessment of Education Progress);

[(E) not less than $8,750,000 shall be available in each fiscal year to carry out section 406 of this Act, except for subsection (i) of that section (relating to the Center for Educational Statistics); and

[(F) not less than $500,000 shall be available in each fiscal year to carry out subsection (d)(4)(A)(iii) of this section (relating to field initiated research).

[(2) If the sums appropriated for any fiscal year are less than the amount required to be made available under subparagraphs (A) through (F) of paragraph (1), then each of the amounts required to be made available under such subparagraphs shall be ratably reduced. If additional amounts become available for any such fiscal year, such reduced amounts shall be increased on the same basis as they were reduced.]

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DEPARTMENT OF EDUCATION ORGANIZATION ACT

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OFFICE OF EDUCATIONAL RESEARCH AND IMPROVEMENT

Sec. 209. There shall be in the Department an Office of Educational Research and Improvement, to be administered by the Assistant Secretary for Educational Research and Improvement appointed under section 202(b). The Assistant Secretary shall administer such functions concerning research, development, demonstration, dissemination, evaluation, and assessment activities as the Secretary shall delegate *and such functions as set forth in section 102 of the Educational Research and Improvement Act of 1993.*

* * * * * * *

EXPERTS AND CONSULTANTS

SEC. 402. *(a) IN GENERAL.*—The Secretary may as provided in appropriation Acts obtain the services of experts and consultants in accordance with the provisions of section 3109 of title 5, United States Code, and may compensate such experts and consultants at rates not to exceed the daily rate prescribed for GS–18 of the General Schedule under section 5332 of such title.

(b) SPECIAL RULE.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may use not more than 1 percent of the funds appropriated for any education program that awards such funds on a competitive basis to pay the expenses and fees of non-Federal experts necessary to review applications and proposals for such funds.

(2) APPLICABILITY.—The provisions of paragraph (1) shall not apply to any education program under which funds are authorized to be appropriated to pay the fees and expenses of non-Federal experts to review applications and proposals for such funds.

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TRAINING TECHNOLOGY TRANSFER ACT OF 1988

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SEC. 6107 * * *

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SEC. 6108. AUTHORIZATION OF APPROPRIATIONS.—

There are authorized to be appropriated $3,000,000 for fiscal year 1995, and such sums as may be necessary for each of the fiscal years 1996 through 1999, to carry out this chapter.

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CARL D. PERKINS VOCATIONAL EDUCATION ACT

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NATIONAL OCCUPATIONAL INFORMATION COORDINATING COMMITTEE

SEC. 422. (a) * * *

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(2) develop and implement, in cooperation with State and local agencies, an occupational information system to meet the common occupational information needs of vocational education programs and employment and training programs *(including postsecondary employment and training programs)* at the national, State, and local levels, which system shall include data on occupational demand and supply based on uniform definitions, standardized estimating procedures, and standardized occupational classifications, including regularly updated data on employment demand for agribusiness;

* * * * * * *

(b) Each State receiving assistance under this Act shall establish a State occupational information coordinating committee composed of representatives of the State board, the State employment security agency, the State economic development agency, the State job training coordinating council, *the State board or agency governing higher education,* and the agency administering the vocational rehabilitation program. Such committee shall, with funds available to it from the National Occupational Information Coordinating Committee established pursuant to subsection (a)—

[(A)] *(1)* implement an occupational information system in the State which will meet the common needs for the planning for, and the operation of, programs of the State board assisted under this [Act and of] *Act, of* the administering agencies under the Job Training Partnership act *and of the State board or agency governing higher education*; and

[(B)] *(2)* use the occupational information system to implement a career information delivery system.

* * * * * * *

(d) DATA COLLECTION SYSTEM.—In the development and design of a system to provide data on graduation or completion rates, job placement rates from occupationally specific programs, licensing rates, and awards of high school graduate equivalency diplomas (GED), each State board for higher education shall develop a data collection system the results of which can be integrated into the occupational information system developed under this section.

[(d)] *(e)* Of amounts reserved under section 451(a)(3)(A) to carry out the provisions of this section, the Committee shall use—

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STAR SCHOOLS ASSISTANCE ACT

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SEC. 4085b. EVALUATION.

(a) IN GENERAL.—From amounts appropriated pursuant to the authority of section 4082(b) of this title, the Secretary shall reserve the [greater] *lesser* of not more than $500,000 or 5 percent of such appropriations to conduct an independent evaluation by grant, con-

tract or cooperative agreement, of the Star Schools Assistance Program.

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ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

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SEC. 4805. PROGRAMS FOR THE IMPROVEMENT OF COMPREHENSIVE SCHOOL HEALTH EDUCATION.

(a) GENERAL AUTHORITY.—* * *

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(c) OFFICE OF COMPREHENSIVE SCHOOL HEALTH EDUCATION.—The Secretary may establish within the [Office of the Secretary] *Office of Elementary and Secondary Education* an Office of Comprehensive School Health Education with the following responsibilities:

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(4) To act as a liaison office for the coordination of the activities undertaken by the Office under this section with related activities of the Department of Health and Human Services and to expand school health education research grant programs under this section.

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